

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7972 of 2018

Birendra Kumar S/o Bhuwan Lal Aged About 35 Years R/o Village And Post Office Gayatri Nagar Dundera P. S. Utai Tahsil Durg, District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development Mahanadi Bhawan Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
2. The Collector Durg, District Durg, Chhattisgarh.
3. The Chief Executive Officer Zila Panchayat Durg, District Durg, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Jitendra Nath Nande, Advocate
For State	:	Mr. Chandresh Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/12/2018

1. The challenge in the present writ petition is to the action on the part of the respondent No.3 in not allowing the petitioner to resume his duties on the post of Stenographer (Hindi) in the office of the respondent No.3.
2. The contention of the petitioner is that the petitioner's services are governed under the conditions, which are stipulated in the order of appointment itself. The respondent No.3 has not taken any step, nor has he passed any order for discontinuing the services of the petitioner. This according to the petitioner is in violation of the appointment order. He further submits that until and unless the service of the petitioner stands discontinued, he is entitled to work under the respondents atleast till the contract period is not completed.

3. Given the said facts and circumstances of the case, this Court is of the opinion that considering the period of service left of the petitioner, it would not be fruitful to keep the writ petition pending, rather ends of justice would serve if the writ petition is disposed of with a specific direction to the respondent No.3 to immediately take appropriate steps in the case of the petitioner, so far as his joining is concerned.
4. It is made clear that if the respondent No.3 intends to take an action or intends to discontinue the services of the petitioner, he has to comply with the conditions, which are otherwise stipulated in the order of appointment itself.
5. Let this exercise be done by the respondent No.3 within a period of 30 days from the date of receipt of the order of this Court.
6. It shall be the responsibility of the petitioner to appraise the respondent No.3, so far as the order passed by this Court is concerned.
7. The aforesaid directives would only be applicable, in case if such steps have not been taken by the respondent No.3.
8. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved